

IN THE DISTRICT COURT OF THE UNITED STATES
FOR THE MIDDLE DISTRICT OF ALABAMA
NORTHERN DIVISION

2008 FEB 13 12:24

UNITED STATES OF AMERICA,

Plaintiff,

v.

SUPERIOR BANK,
Birmingham, AL, and

STERNE, AGEE, AND LEACH, INC.,
Birmingham, Alabama,

Garnishees,

LYNNE BRACKINS,

Defendant

CRIMINAL NO. 2:07cv3361-MHT

APPLICATION FOR WRIT OF GARNISHMENT

TO: Honorable Debbie C. Hackett
Clerk, United States District Court
Middle District of Alabama
Montgomery, Alabama 36101

Please issue writ of garnishment for the seizure from the garnishees, SUPERIOR BANK, 17 N. 20th Street, Birmingham, Alabama 35203, and, STERNE, AGEE, AND LEACH, INC., 800 Shades Creek Pkwy, Birmingham, Alabama 35209, all property held in the possession of Superior Bank, and Sterne, Agee, and Leach, Inc., in the name of Lynne Brackins, to compel performance of the judgment entered March 8, 2006, in this cause. Said defendant has failed to

comply with said judgment as more fully appears from the affidavit of R. Randolph Neeley,
Assistant United States Attorney, attached hereto as plaintiff's Exhibit A.

Dated this 13th day of February, 2008.

LEURA G. CANARY
United States Attorney

BY: 

R. RANDOLPH NEELEY
Assistant United States Attorney
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AFFIDAVIT

I, R. Randolph Neeley, having been first duly sworn, depose and say as follows:

1. I am an Assistant United States Attorney and represent the United States of America, plaintiff, herein.

2. Judgment was entered on March 8, 2006, for plaintiff and against defendant, Lynne Brackins, for the sum of \$120,100.00, lump sum payment due immediately.

3. Defendant resides within the jurisdiction of this court at 17654 U.S. Highway 84, Andalusia, Alabama 36421.

4. The judgment has not been satisfied, vacated, reversed, or barred by the Statute of Limitations, and is one on which execution may properly issue.

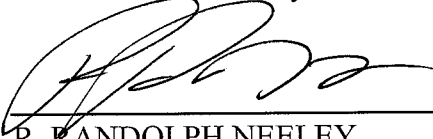
5. On May 1, 2007, defendant called plaintiff and advised plaintiff of funds in possession of Superior Bank, and requested that plaintiff file a writ of garnishment against these funds.

6. The balance on the judgment as of February 12, 2008, is \$119,733.39.

7. Upon information and belief, Lynne Brackins, defendant, has funds on deposit with garnishees, Superior Bank, 17 N. 20th Street, Birmingham, Alabama 35203, and, Sterne, Agee, and Leach, Inc., 800 Shades Creek Pkwy, Birmingham, Alabama 35209.

LEURA G. CANARY
United States Attorney

BY:



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Sworn to and subscribed before me this

13th day of February, 2008.


NOTARY PUBLIC